
STATUTORY INSTRUMENTS

1995 No. 798

**The Local Government Changes for
England (Capital Finance) Regulations 1995**

PART V

CREDIT CEILINGS AND MINIMUM REVENUE PROVISION

Housing and non-housing component of designated successor authority

23.—(1) In this regulation—

“abolished housing authority” means an abolished authority which is required to keep a Housing Revenue Account; and

“abolished non-housing authority” means an abolished authority which is not required to keep a Housing Revenue Account.

(2) In this regulation and regulation 24—

(a) any reference to a local authority’s housing component or non-housing component shall be construed as a reference to that authority’s housing component or non-housing component on the last day of the preliminary period; and

(b) in relation to a newly-established authority, any reference to the relevant amount shall be construed as a reference to the amount which would be the relevant amount of that authority for the financial year beginning on the reorganisation date if—

(i) they were not required on and after that date to keep a Housing Revenue Account; and

(ii) for the purposes of regulation 21 above, their adjusted credit ceiling on the reorganisation date was the same as their adjusted credit ceiling on the last day of the preliminary period; and

(c) in relation to any authority which is not a newly-established authority, any reference to the relevant amount shall be construed as a reference to the amount which would be that authority’s relevant amount for the financial year beginning on the reorganisation date if no order under section 17 of the Local Government Act 1992 had been made.

(3) Subject to regulation 27, where a designated authority in relation to an abolished authority are required before the reorganisation date to keep a Housing Revenue Account—

(a) where the abolished authority is an abolished housing authority—

(i) the designated authority’s housing component shall be adjusted by adding to it the housing component of the abolished authority; and

(ii) the designated authority’s non-housing component shall be adjusted by adding to it the non-housing component of the abolished authority; and

(b) where the abolished authority is an abolished non-housing authority, the designated authority’s non-housing component shall be adjusted by adding to it the relevant amount of the abolished authority.

(4) Subject to regulation 27, where a designated authority in relation to an abolished housing authority are not required before the reorganisation date to keep a Housing Revenue Account, the designated authority shall be treated as if, on the last day of the preliminary period, they had—

- (a) a housing component equal to the aggregate of the housing components of the abolished housing authority and any other abolished housing authority in relation to which they are the designated authority; and
- (b) a non-housing component equal to the aggregate of—
 - (i) the designated authority's relevant amount;
 - (ii) the non-housing components of the abolished housing authority and any other abolished housing authority in relation to the designated authority;
 - (iii) the relevant amount of any abolished non-housing authority in relation to which they are the designated authority.